

Inspector's Post Hearing Letter

Dear Mr Marsh

Interim conclusions and action points

We have now completed three weeks of hearings, and I am writing to set out my interim conclusions and further action points based on matters covered in the examination so far. I announced these in the hearing session that took place at 2pm on 19 March 2026, which was live streamed. They have all been agreed in open forum with the Council during the course of the hearings. They are set out in the appendix to this note.

I am very grateful for the hard work that the Council's team has put in to prepare for the examination and the hearing sessions, and I am also grateful for the assistance of the hearing participants and the quality of the submitted evidence.

I look forward to working with you through the next stages of the examination.

Jonathan Bore

INSPECTOR

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APPENDIX

Interim conclusions and further action points

The plan period

In the earlier part of the examination before I took it over, it had been proposed that the plan's end date should be moved back from 2039 to 2040, in order to ensure that there was a 15 year period after adoption. The delays that have since occurred in the examination process mean that, with an end date of 2040, there would again be less than 15 years to run after adoption. However, the Council have been working to the 2040 date and I am not asking them to change this period again. A pragmatic approach is needed because there is enough work for the Council to do without having to produce evidence in connection with a further extension. In addition, the period aligns with the plans of neighbouring authorities. The plan period will therefore remain 2021 to 2040.

Local housing need

The plan is being examined under the September 2023 National Planning Policy Framework and the starting point for local housing need (LHN) is the figure derived from the LHN formula that existed at that time. The submitted plan was based on the LHN figure of 1,090 dwellings per annum (dpa). However, using the most recent evidence for inputs gives a figure of 999 dpa. This is appropriate as a starting point for the period from 2025 onwards, but the figures for the period 2023-2025 should reflect the higher LHNs that existed in each of those two years.

The submission plan relied on a supply surplus to meet some of the unmet needs of neighbouring authorities. However, any provision for unmet needs should normally be quantified and added to the LHN figure, to come to a final figure for the plan's housing requirement. It is therefore agreed that a specific number of homes will be added to the LHN figure to meet a proportion of the unmet housing needs of neighbouring authorities in the same housing market areas, principally Crawley but also having regard to the south coast.

Therefore an overall housing target in the range of 1,200 to 1,300 dpa, which will include a substantial component for the unmet housing needs of adjacent authorities, will be tested for delivery. The Council will seek, as far as possible, to identify sufficient additional housing sites to meet a requirement towards the upper end of that range.

The spatial strategy and the evaluation of additional sites

The spatial strategy set out in the plan is sound.

It will be used to guide the selection of additional sites for inclusion in the plan to meet the raised housing requirement discussed above. I have considered the methodology that the Council propose to use to assess the additional sites, which is set out in MS-12, and I have also taken into account the comments made by interested parties on MS-12 and the review of the responses in MS-14. It was not necessary to hold a further hearing on this subject, because MS-12 reflects the outcome of the hearings on Matters 5 and 6 and a further hearing would simply have repeated the discussion.

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I consider that the methodology in MS-12 is sound and reflects the plan's spatial strategy. However, site selection is not a purely mechanical process and will be subject to professional and political judgement. Such judgement will be required when, for example, comparing the positives and negatives of sites that support different principles of the spatial strategy, and it will need to take into account a range of considerations. Many of these considerations are set out in MS-12 paragraphs 9 and 10, but the methodology itself cannot wholly prescribe the outcome and should be regarded as guidance. In any event, all conclusions will need to be thoroughly justified.

Housing land supply

The Council have a good record of delivery but are going to give consideration to need for headroom, that is the theoretical excess of housing supply over housing requirement. Adequate headroom ensures that a plan is resilient should, for example, delivery fall short one or more allocated sites.

The windfall element of the housing supply will be re-calculated taking into account a realistic assessment of past performance, whether certain trends such as office to residential conversions are likely to continue at the same level, and a realistic review of the capacity study which recognises development impediments and difficulties.

Self-build and Custom Build Housing (Policy DPH6)

The Council will consider an alternative approach towards the provision of plots for custom and self-build homes that reflects the scale of identified need.

Affordable housing (Policy DPH8)

The level of affordable housing sought by the plan is 30% which would help to address the needs of Mid Sussex as a whole whilst ensuring viability and deliverability, and as an overall figure it is sound. The Council have a demonstrable track record of successful housing delivery with this level of affordable housing.

Specific issues concerning Sustainable Communities site DPSC2 are addressed below.

Accessibility (Policy DPH12)

An alternative approach to accessibility and mobility will be produced that reflects national policy.

Business and industrial land (Policy DPE3)

The Council will carry out a reappraisal of the approach towards business and industrial land. This may contain additions to the supporting text on logistics, locational criteria, a recognition of the matching of need and supply, and the potential need to alter scenario 3 and business provision in response to a raised housing requirement.

Sustainable Communities:

DPSC1: land west of Burgess Hill

The principle of the allocation is sound and in line with the plan's spatial strategy.

The wording concerning the active travel route in DPSC1 will be revised to clarify the responsibility for on-site delivery and for contributions.

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The Council are currently working to establish the capacity of the car park at Burgess Hill Station before and after development and the cumulative implications of the site allocation for car parking.

The Council are going to clarify their intentions towards the undeveloped land between DPSC1 and the current built up area of Burgess Hill, which is shown on the Policies Map as “white land” outside the allocation but within the black line development boundary of the town.

DPSC2: Crabbet Park

The principle of the allocation is sound and in line with the plan's spatial strategy.

This proposed sustainable community is near to Crawley, which has a high level of affordable housing need, so in the light of representations by Crawley Borough Council, Mid Sussex District Council are going to review the percentage of affordable housing proposed for the allocation.

I am reserving judgement on the outcome of this work, but make three points which may be relevant to soundness. The first is that the submitted plan as it stands, together with the proposed nomination rights for Crawley (which are a matter between the two authorities), would deliver a substantial number of affordable homes for Crawley. The second is that in considering any change from the plan's 30% for this one site, the Council will need to consider whether this raises issues of fairness and consistency of approach between the plan's site allocations. Finally, as has been discussed, DPSC2 will need to support the delivery of social and community facilities and sustainable transport measures, and it already scores less highly in terms of viability than other allocations.

Crawley Borough Council have also made representations that, to reflect their own identified housing needs, allocation DPSC2 should have a different mix of dwelling size from that set out in Policy DPH7. However, the proposed main modification to Policy DPH7 which I have discussed and agreed with the Council, allows for a range of factors to be taken into account in establishing the mix of dwelling size on any particular site. One of these factors is identified need, and I consider that the wording of the modification would be sufficient to take into account the circumstances of DPSC2.

In terms of transport, the mitigation package for DPSC2 including the active travel route to Three Bridges Station will be developed through further modelling and will be included in the IDP; as much detail as possible will be put in the plan when the evidence is available.

DCPS3: Sayers Common

The principle of the allocations is sound and in line with the plan's spatial strategy.

However, the plan should take a more holistic approach to the masterplanning of all the Sayers Common sites in terms of how they work together, linkages, social and community facilities and infrastructure delivery, the treatment of movement and impacts within and outside the site, and mitigation measures, including how impacts on the lanes and Hurstpierpoint High Street are to be addressed. As regards the High Street, this will need to go beyond the scope of the Council's paper MS-13 which is largely concerned with junction capacity. The Council will look at the wording in relation to the timing of the masterplan and there is also further work to do on viability.

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Other site allocations:

DPA7: Land east of Borde Hill Lane, Haywards Heath

The principle of the allocation is sound and in line with the plan's spatial strategy.

The Council are going to undertake further work to see whether it is appropriate to raise the site capacity from the 60 dwellings shown in the plan. This exercise is being undertaken in view of the need to increase the plan's housing requirement. However, it is recognised that the site is on the edge of attractive countryside, is close to heritage assets and a registered park and garden, and forms part of the entrance to Haywards Heath. The final capacity for DPA7 will be informed by a site masterplanning approach which fully recognises the qualities of the surrounding landscape and its heritage assets.

DPA12: Land west of Kemps, Hurstpierpoint

This site is available according to the landowner but does not currently have an active site promoter, so the Council have not included its proposed yield of 90 dwellings in its supply calculations. The Council will undertake further work to establish means of access, safety and deliverability to determine whether the site should remain in the plan. If it does remain in the plan its capacity should be informed by its landscape and heritage setting.

Other housing allocations

The Council will respond shortly to the questions I have raised in writing in IDJB-10, concerning site allocations DPA1, DPA3, DPA4, DPA5, DPA9, DPA11, DPA14, DPA15 and DPA16.

Development management policies

Draft modifications to certain development management policies have now been agreed in line with MS-08 and MS-09 and I have no further comment on them. They can be taken forward into the draft schedule of main modifications.

END